

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

PERFORMANCE PRICING, INC.,

Plaintiff,

v.

GOOGLE INC., AOL LLC, MICROSOFT
CORPORATION, YAHOO! INC.,
IAC SEARCH & MEDIA, INC., and
A9.COM, INC.,

Defendants.

Case No. 2:07-cv-432 (LED/JDL)

**JOINT MOTION FOR AN ADDITIONAL EXTENSION OF TIME TO FILE A JOINT,
PROPOSED PROTECTIVE ORDER
OR COMPETING VERSIONS THEREOF**

Performance Pricing, Inc. ("Plaintiff") and Google Inc., AOL, LLC, Microsoft Corporation, Yahoo! Inc., IAC Search & Media, Inc., and A9.Com, Inc. ("Defendants") file this joint motion and respectfully ask the Court to further extend the deadline to provide the Court with a proposed protective order to govern this cause. Plaintiff and Defendants would show the Court as follows:

The current deadline for the parties to file a protective order is June 27, 2008. Plaintiff and Defendants have diligently worked to reach agreement concerning the protective order, and they have agreed on most of its terms and are attempting to resolve the last remaining issues.

Plaintiff and Defendants have conferred and believe that an extension until and through July 8, 2008 will allow them sufficient time to attempt to resolve the last remaining issues. The parties therefore request that the Court extend the deadline for filing the protective order (jointly or competing versions thereof) until and through July 8, 2008.

Dated: June 27, 2008

Respectfully submitted,

By: /s/ Michael E. Jones

Michael A. Jacobs
Rachel Krevans
Richard S.J. Hung
Morrison & Foerster, LLP
425 Market Street
San Francisco, California 94105
(415) 268-7000
(415) 268-7522 (FAX)

Michael E. Jones
Texas State Bar No. 10929400
mikejones@potterminton.com
John F. Bufe
Texas State Bar No. 03316930
johnbufe@potterminton.com
Potter Minton
A Professional Corporation
P.O. Box 359 (75710)
110 N. College Ave.
500 Plaza Tower
Tyler, Texas 75702
Telephone: 903.597.8311
Facsimile: 903.593.0846

Attorneys for Defendant
YAHOO! INC.

/s/ Jeffrey S. Love
(with permission by Michael E. Jones)

Kristin L. Cleveland
OR Bar No. 001318
Jeffrey S. Love
OR Bar No. 87398
Richard D. McLeod
Texas Bar No. 24026836
KLARQUIST SPARKMAN, LLP
121 S.W. Salmon St., Suite 1600
Portland, OR 97204
Telephone: 503-595-5300
Facsimile: 503-595-5301

David A. Zapsolsky
Vice President and Associate General Counsel
AMAZON.COM, INC.
P.O. Box 81226
Seattle, Washington 98101
(206) 266-1323
(206) 266-7010 (FAX)

Andy Tindel
Texas Bar No. 20054500
Provost Umphrey Law Firm, LLP
112 E. Line Street, Suite 304
Tyler, Texas 75702
(903) 596-0900
(903) 596-0909 (FAX)

Attorneys for Defendant
A9.COM, INC.

/s/ Elizabeth L. DeRieux
(with permission by Michael E. Jones)

S. Calvin Capshaw
Texas Bar No. 0378900
Elizabeth L. DeRieux
Texas Bar No. 05770585
N. Claire Abernathy
Texas Bar No. 24053063
Capshaw DeRieux, L.L.P.
1127 Judson Road, Suite 220
Longview, Texas 75601
(903) 236-9800
(903) 236-8787 (FAX)

Robert M. Parker
Texas Bar No. 15498000
Robert Christopher Bunt
Texas Bar No. 00787165
Charles Ainsworth
Texas Bar No. 00783521
Parker, Bunt & Ainsworth, P.C.
100 East Ferguson, Suite 1114
Tyler, Texas 75702
(903) 531-3535
(903) 533-9687 (FAX)

Gregory S. Dovel
CA Bar No. 135387
Sean Luner
CA Bar No. 165443
Christian K. Cho
CA Bar No. 238173
Dovel & Luner, LLP
201 Santa Monica Blvd., Suite 600
Santa Monica, California 90401
(310) 656-7066
(310) 657-7069 (FAX)

Attorneys for Plaintiff
PERFORMANCE PRICING, INC.

/s/ David J. Beck
(with permission by Michael E. Jones)

David J. Beck
Texas Bar No. 00000070
dbeck@brsfir.com
Michael E. Richardson
State Bar No. 24002838
mrichardson@brsfir.com
Beck, Redden & Secrest, L.L.P.
One Houston Center
1221 McKinney St., Suite 4500
Houston, TX. 77010
(713) 951-3700
(713) 951-3720 (Fax)

Charles K. Verhoeven
charlesverhoeven@quinnmanuel.com
David A. Perlson
davidperlson@quinnmanuel.com
Antonio R. Sistos
antoniosistos@quinnmanuel.com
Emily C. O'Brien
emilyobrien@quinnmanuel.com
Katherine H. Bennett
katherinebennett@quinnmanuel.com
QUINN EMANUEL URQUHART OLIVER
& HEDGES, LLP
50 California Street, 22nd Floor
San Francisco, CA 94111
Telephone: 415.875.6600
Facsimile: 415.875.6700

Attorneys for Defendant
GOOGLE, INC. and AOL, LLC

/s/ Otis Carroll
(with permission by Michael E. Jones)

Otis Carroll
Texas Bar No. 03895700
Collin Maloney
Texas Bar No. 00794219
Ireland, Carroll & Kelley, P.C.
6101 S. Broadway, Suite 500
Tyler, Texas 75703
(903) 561-1600
(903) 581-1071 (FAX)

Charles K. Verhoeven
charlesverhoeven@quinnmanuel.com
David A. Perlson
davidperlson@quinnmanuel.com
Antonio R. Sistos
antoniosistos@quinnmanuel.com
Emily C. O'Brien
emilyobrien@quinnmanuel.com
Katherine H. Bennett
katherinebennett@quinnmanuel.com
QUINN EMANUEL URQUHART OLIVER
& HEDGES, LLP
50 California Street, 22nd Floor
San Francisco, CA 94111
Telephone: 415.875.6600
Facsimile: 415.875.6700

Attorneys for Defendant
IAC SEARCH & MEDIA, INC.

/s/ Richard A. Cederoth
(with permission by Michael E. Jones)

Eric H. Findlay
Ramey & Flock, P.C.
100 E. Ferguson, Suite 500
Tyler, Texas 757 02-0629
(903) 510-5213
(903) 597-2413 (FAX)

Richard A. Cederoth
SIDLEY AUSTIN LLP
One South Dearborn Street
Chicago, IL 60603
Telephone: 312-853-7000
Facsimile: 312-853-7036

Attorneys for Defendant
MICROSOFT CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on June 27, 2008. Any other counsel of record will be served by First Class U.S. mail on this same date.

/s/ Michael E. Jones

Michael E. Jones